

JULIE R. ULMET

June 19, 2025

By ECF

The Honorable Ona T. Wang
United States District Court for the Southern District Of New York
500 Pearl Street
New York, NY 10007

Re: *Anna Netrebko v. Metropolitan Opera Association, Inc., et al.*
Case No. 23-cv-6857

Dear Judge Wang,

In response to the Court's June 13, 2025 Order (Doc. 96), the parties respectfully submit this joint request for a new discovery schedule and to explain why there is good cause to order the proposed schedule.

This case originally had a discovery schedule in which fact discovery was scheduled to close on May 6, 2024. (Doc. 49). The schedule was then amended to provide for an amended close of fact discovery on September 27, 2024. (Doc. 53). In an October 17, 2024 conference, Plaintiff explained her concerns with the discovery process and Defendants represented that they had recently commenced their production of responsive ESI and would continue to produce their responsive documents expeditiously. (*See* Docs. 69, 70). At the time of the hearing, document discovery remained ongoing, and the parties were not yet prepared to commence depositions. The Court issued an order providing that fact discovery would be extended until November 27, 2024, without prejudice to further extensions. (Doc. 79). The parties were directed to submit joint monthly status reports thereafter (Doc. 80) which they have diligently done since that date.

Since then, the parties cooperated amicably in completing their respective document productions until certain disputes arose in May 2025. In April 2025, the parties agreed to schedule Plaintiff's deposition on June 4, 2025. Defendants cancelled the deposition, taking the position that an adjournment was necessary because, in their view, Plaintiff had failed to produce certain documents that Defendants had requested. Plaintiff objected that these grounds were not a basis for cancelling the deposition. The parties had extensive communications about this, and Plaintiff considered seeking judicial assistance but, ultimately, the parties reached an agreement to conduct Plaintiff's deposition during her next availability for an in-person deposition in New York. (Plaintiff had also proposed earlier dates on which she could be available in other locations or by remote means.)

The parties have also continued to produce documents to each other. In addition, Plaintiff has made follow-up requests based on alleged deficiencies in Defendants' production, and



Defendants have, similarly, served new document demands on Plaintiff. Plaintiff is finalizing her production in response to Defendants' requests. Though Defendants objected to producing a limited number of documents requested by Plaintiff, they have represented that they require until July or August to complete the production of those categories of documents for which no objections were raised (depending on the total number of documents which hit upon a set of search terms, which is currently being negotiated). Defendants are also willing to meet and confer further regarding the limited objections they raised to Plaintiff's supplemental demands.

While the May 2025 status reports and letters indicated that the parties had not yet reached agreement on a deposition and discovery schedule, the parties have made substantial progress in reach agreement on a schedule. The parties respectfully request the Court's approval of the following proposed schedule:

- September 1-November 14, 2025 - Depositions of third-party witnesses and Met Opera personnel (other than Mr. Gelb)
 - Miguel Esteban (non-party) – week of September 15
 - Michael Heaston (Met employee)– October 16
 - Matthew Dobkin (Met employee) – TBD
 - Gillian Brierly (Met employee) –TBD
 - Judith Neuhoff (non-party) – TBD
 - Any additional third-party and Met Opera employee depositions to take place before November 14
- Deposition of Plaintiff Anna Netrebko (10 hours split over two days to allow time for Russian language interpretation) – The parties will schedule two days during the period November 20-December 3, 2025
- December 8, 2025 – Deposition of Defendant Peter Gelb
- December 12, 2025 – Deposition of Met Opera pursuant to Fed. R. Civ. P. 30(b)(6)
- January 15, 2026 – End of fact discovery
- March 30, 2026 – End of expert discovery

The parties are available for a conference with the Court should the Court believe it helpful.

Respectfully submitted,

/s/ Julie R. Ulmet

Julie R. Ulmet
Counsel for Plaintiff

cc: Lloyd B. Chinn, Howard Z. Robbins, Hayden F. Bashinski (Proskauer Rose LLP)
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